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STATE FOR SC/A (SINGRAM), L/PM (EPELOFSKY), S/WCI
(SHODGKINSON), S/CR, WHA/CAN (FERNANDEZ), NEA/ELA, EUR/RPM
NSC FOR AHARRIMAN
CENTCOM FOR CG CJTF-76, POLAD, CSTA-A
DOD FOR OSD (ARICCI)

E.O. 12958: DECL: 03/03/2017
TAGS: [CASC](#) [KAWC](#) [MARR](#) [PTER](#) [CONS](#) [CA](#) [EG](#) [AF](#)
SUBJECT: EXPEDITING MEDICAL RELEASE/TRANSFER OF
CANADIAN-EGYPTIAN DETAINEE FROM BTIF

REF: A. KABUL 367
[1](#)B. 12DEC06 ACTION MEMO TO USD(P)

Classified By: Political-Military Affairs Counselor Carol A. Rodley; re
asons 1.4 (b) and (d)

[1](#)1. (U) This is an action request; please see paragraph 5.

[1](#)2. (S) Per ref A, Canadian officials paid a first consular visit to detainee Khaled Samy Abdalla ISMAIL in the Bagram Theater Internment Facility (BTIF) on January 11 and advised that Mr. Ismail, who is a dual Canadian/Egyptian national, chose not to renounce his Canadian citizenship. Ref A relays a Canadian diplomatic note of January 21 which asks for clarification of Mr. Ismail's "legal status as well as the nature of any charges he is or may be facing" and whether Mr. Ismail "has been visited by a mental health professional while in custody of the United States."

[1](#)3. (S) Mr. Ismail arrived at BTIF in May 2006 and was not assessed as mentally ill during his June 2006 intake medical examination, though he was assessed as narcissistic and arrogant. According to BTIF officers, he has since developed symptoms of paranoid schizophrenia and since February, his physical and mental health have deteriorated seriously. He has lost considerable weight and is refusing medicine by mouth and food. He has been medically segregated within the BTIF and has not fought recent intravenous administration of anti-schizophrenia medication, but doctors and psychiatrists have not yet observed any improvement in his condition.

[1](#)4. (S) Prior to the serious manifestation of Mr. Ismail's schizophrenic symptoms and the Canadian consular visit, CJTF-76 had recommended to CENTCOM that Mr. Ismail, a Low-Threat Low Level Enemy Combatant, be transferred for continued detention in Egypt. CJTF-76 reports this recommendation has not yet been approved by OSD. CSTC-A Staff Judge Advocate has advised there is no precedent regarding the country to which BTIF should transfer a dual national. It is not clear to post if the January 13 2004 exchange of letters between Canada and the United States on notification of a citizen's involuntary removal to a third country would apply to a transfer from BTIF, but we believe we must be cognizant of it. In light of Ismail's Canadian citizenship

and the serious deterioration of Mr. Ismail's health, CJTF-76 now plans to recommend to OSD that Canada be asked to accept transfer of Mr. Ismail. In response to the ref A question on whether Mr. Ismail has been visited by a mental health professional while in the BTIF, the CJTF-76 response to OSD on February 24 recommended that a Canadian physician from their hospital in Kabul could be invited to assess Ismail and discuss the case with the resident BTIF senior psychiatrist.

15. (S) Action request: Post concurs with CJTF-76's recommendation that the Government of Canada be approached and asked to take custody of Mr. Ismail for medical release/transfer. We share CJTF-76's concern that Mr. Ismail's health will continue to deteriorate while in detention at BTIF. Post is prepared to coordinate with the Canadian Embassy here on this matter and requests guidance regarding how to proceed.

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